

**OPINION
45-238**

August 23, 1945 (OPINION)

REGISTER OF DEEDS

RE: Fees for Highway Deeds

Re: Payment of Register of Deeds' Fees by State Highway
Department

Your letter of August 20, re the above, has come to my desk for attention.

It is my opinion that the next to the last paragraph of chapter 128 of the Laws of 1933, relating to the payment of register of deeds' fees by the highway department in certain instances, has been materially amended by section 24-0124 of the North Dakota Revised Code of 1943, and that now the only fees not to be charged by the register of deeds are the fees for recording the instruments required under sections 24-0121 and 24-0122. These instruments are not deeds, and I know of no other law exempting the highway department from the payment of ordinary fees chargeable by the register of deeds.

It is, therefore, my opinion that the register of deeds is required to charge and account for the ordinary fees for recording the deeds mentioned in your letter.

NELS G. JOHNSON

Attorney General